

DEPARTMENT OF BENEFIT PAYMENTS



July 16, 1974

ALL-COUNTY LETTER NO. 74-131

TO: ALL COUNTY WELFARE DIRECTORS

SUBJECT: DEFINITION OF MONTH OF DISCOVERY

REFERENCE:

Recent Operations Improvement Studies indicate that many counties are incorrectly defining "month of discovery" in determining the period during which an overpayment adjustment may be made, and thereby losing potential adjustment time for the recovery of funds.

EAS Section 44-333.132 states:

"For the recipient who failed to meet his responsibility for reporting, the maximum adjustment period is one year following the month of discovery of the overpayment or one year following the date of the Fair Hearing decision on the propriety of the overpayment adjustment, if any."

In applying this regulation, the correct definition of "month of discovery" is the month in which the facts are conclusive that the recipient failed to meet his/her reporting responsibilities and investigations are complete as to the period and amount of the resulting overpayment.

It is hoped that this letter has eliminated the possible confusion regarding this area. Further questions should be referred to AFDC Program Operations at (916) 445-4458.

Sincerely,


DENNIS O. FLATT, Deputy Director
Welfare Program Operations

cc: CWDA

OBSOLETE

Superseded by ACL 77-15

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